



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

James E. Towery, Treasurer
Mike Honda for Congress
111 W. St. John Street, Suite 400
San Jose, CA 95113

RE: MUR 4975

DEC 06 2000

Dear Mr. Towery:

On February 29, 2000, the Federal Election Commission notified you of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against Mike Honda for Congress and you, as treasurer. See attached narrative. Accordingly, the Commission closed its file in this matter on October 25, 2000.

The confidentiality provisions of 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact Donald E. Campbell on our toll-free telephone number, (800) 424-9530. Our local telephone number is (202) 694-1650.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff S. Jordan", is written over a horizontal line.

Jeff S. Jordan
Supervisory Attorney
Central Enforcement Docket

Attachment: Narrative

MUR 4975

MIKE HONDA FOR CONGRESS

Peacock for Congress, through its counsel Ash Pirayou, alleged that Mike Honda for Congress ("the Committee") used yard signs which failed to display the appropriate disclaimers.

The Committee responded that some lawn signs paid for by the Committee did not contain a disclaimer. The Committee stated that less than 50 of the 3,000 signs bought were distributed before the Campaign Manager noticed the problem. The remaining signs had labels affixed with the appropriate disclaimer. The Committee had no knowledge if the signs, which lacked disclaimers were posted, as they were distributed at a democratic luncheon and a union hall, and picked up at campaign headquarters. The Committee had no record of who took the signs.

This matter is less significant relative to other matters pending before the Commission, evidences no serious intent to violate the FECA, and reflects that some remedial action was taken by the Committee.